

REMARKS

By this amendment, claims 110-131 are pending, in which claim 110 is currently amended. No new matter is introduced.

The Office Action mailed April 19, 2006 rejected claims 110-131 as obvious under 35 U.S.C. § 103 based on *Elliott et al.* (US 2002/0064149) in view of *Picard et al.* (US 6,233,318); claims 110, 120, and 125 over *Miller* (US 4,930,152) in view of *Picard et al.*; and claim 115 over *Miller* and *Picard et al.* further in view of *LaVallee et al.* (US 5,181,236).

Claim 110 is amended to correct an antecedent basis issue unrelated to the merits of the rejection.

The rejection of claims 110-131 over *Elliott et al.* and *Picard et al.* is respectfully traversed because *Elliott et al.* does not qualify as prior art under § 103(c), which reads:

(c) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

The present application is a continuation of US. 09/414,261, filed on October 7, 1999. *Elliott et al.*, however, is a patent application published on May 30, 2002. Though *Elliott et al.* is a continuation of an earlier application, it was and is owned by the same entity as the present application (formerly MCI Worldcom). Therefore, the commonly-owned *Elliott et al.* is not available as prior art for the § 103 rejection.

The rejection of claims 110, 120, and 125 is respectfully traversed because *Miller* and *Picard et al.* do not teach or otherwise suggest the features of the claims. For example, claim 110 recites “generating textual information based on the received voicemail message,” a feature not shown in either reference.

As for *Miller*, the Office Action quite correctly recognizes that “*Miller* does not specifically teach generating textual information based on the received voicemail message.” Such a feature, however, is also lacking in *Picard et al.*, directed to a “system for accessing multimedia mailbox and messages over the internet or via telephone” (Title). In the *Picard et al.* system, users may either play voice messages at their PC or view the text of facsimiles and email (Abstract). *Picard et al.* does not disclose, however, disclose “generating textual information based on the received voicemail message.” Rather, the text viewing is for originally textual content.

The portions of *Picard et al.* cited in the Office Action do not support the rejection. For example, col. 9:2 states “[w]hen the destination is not the same IMS [integrated messaging system] the message is format converted as needed,” but this not detail “generating textual information based on the received voicemail message.” Column 13:46-49 is of little help either, because it states that the “native voice or facsimile” is “converted to a MIME audio or image/tiff type.” Disclosure of conversion to audio and image/tiff format does not amount to a disclosure of “generating textual information based on the received voicemail message.”

As for claim 120, neither reference discloses “transmitting the voicemail message to a speech processor for conversion of the voicemail message to a different media.” The Office Action acknowledges that *Miller* does not disclose on this feature, but cites the same passages of *Picard et al.* as discussed above. Column 13:46-49 of *Picard et al.*, however, is about converting to a MIME audio format, and is silent about any “speech processor.” Likewise, concerning claim 125, neither *Miller* nor *Picard et al.* show the limitation, “wherein the voicemail message is transmitted to a speech processor for conversion of the voicemail message to a different media.”

Concerning claim 115, both *Miller* and *Picard et al.* are lacking as to the recited “a speech processor configured to generate textual information based on the voicemail message.”

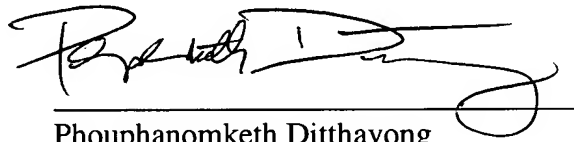
This feature is also missing in *LaVallee et al.* This secondary reference was cited only for disclosure of an automatic call distributor, and it too contains no disclosure of the recited "speech processor."

Therefore, the present application, as amended, overcomes the objections and rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 425-8508 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date


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